

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 21, 1951
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman White moved that the minutes of the previous meeting be approved. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, MacCorkle
Noes: None
Present, but not voting: Mayor Drake

MR. CHARLES WEST, Rosedale P.T.A., appeared requesting a light at 49th and Burnet Road to help the school children at this crossing. He had the endorsement of the North Austin Civic Club in this request. MR. J. A. AMIS also spoke for this traffic light. The traffic count at this location did not indicate the need for a traffic light, and this group asked that in spite of the traffic count, that a light be placed there. After much discussion, this matter was referred to the Traffic and Safety Committee to make a recommendation, and the group was advised that as soon as the Council received a report from this Committee, they would be notified, and that this matter would be placed on the Committee's agenda for its next meeting.

The zoning application of JOSPHINE VISCARDI for change of zone of the property at 407-11 East 5th Street from "B" Residence to "C" Commercial was brought up for consideration. The terraine of the property was under discussion, as there was a creek running through it. Councilman Long moved that this application be re-referred to the Zoning Board for a study of Lot No. 5 in this application, only, to see if they would recommend Lot No. 5 for "C" Commercial. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Discussion of two traffic ordinances was held. The ordinances covered the following changes:

Section 21(f). No vehicle shall be parked between hours of 4:00 P.M. and 6:00 P.M. upon that portion of the streets hereinafter described and enumerated:

West 6th Street on the north side from Henderson Street west to Lamar Boulevard.

East Eleventh Street on the north and south sides from the west property line of San Jacinto Street west to the east property line of Brazos Street extending north from East 11th Street.

Section 21(g). No vehicle shall be parked between hours of 7:00 A.M. and 9:00 A.M. upon that portion of the streets hereinafter described and enumerated.

East 11th Street on the north and south sides from the west property line of San Jacinto west to the east property line of Brazos Street extending north from East 11th Street.

Parkway Street on the south side from Lamar Boulevard to Baylor Street.

Section 22(f)--Add two hour parking on Parkway Street on the north side from Lamar Boulevard to Baylor Street.

Section 22(g). No vehicle shall be parked for a period of time longer than two hours between the hours of 9:00 A.M. and 6:00 P.M. upon that portion of the streets hereinafter described and enumerated where parking is permitted, excepting that portion of those streets where parking is hereinbefore limited:

Parkway Street on the south side from Lamar Boulevard to Baylor Street.

and, an ordinance covering:

Passenger Zones, Article IV, Section 23(b)

West 7th Street on the north side, beginning at a point 10 feet east of the east property line of Colorado and extending eastward for a distance of 30 feet.

Colorado Street on the east side, beginning at entrance to Motoreamp Garage, and extending southward a distance of 50'.

Bus Loading Zone Locations, Article IV, Section 24(c)

Lavaca Street along the east curb on the south side a distance of 50 feet south from West 12th Street.

On West 12th Street along the north curb on the west side a distance of 50 feet west from Lavaca Street.

On West 12th Street along north curb on the west side a distance of 50 feet west from Guadalupe Street.

Councilman Long moved that the two ordinances be referred to the Safety and Traffic Committee for study and recommendation to the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

There was a discussion on the letter from the Traffic Board. Councilman White thought the Board and Traffic Engineer should come before the Council if there were any dissatisfaction, and get things straightened out. Councilman MacCorkle thought the advantage of Advisory Committee would be killed if every administrative thing were referred to them. Mayor Drake stated the letter would be answered, and the policy pointed out when the letter was answered.

The application of Marion Fowler for private boat dock was presented to the Council. The City Manager stated he wanted to look into some of the details of the construction, before he would be able to make a recommendation. The Council took no action on the application at this time.

Councilman Long inquired as to the kind of activity going on at Parkway and 15th, as there were some survey crews working out there, and the people in the neighborhood were afraid they were surveying to open 15th Street. It was stated there was a sanitary sewer to be constructed up Shoal Creek from the River to Gaston Avenue. Councilman Long asked that some kind of announcement be made on that fact.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on Lot 7, Block 105, Original City, in the City of Austin, in consideration of the full payment of such paving assessment against such property by Lee O. Allen, the apparent owner.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilman Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on the south 60 feet of Lots 1 and 2 in Block B, West End, in the City of Austin, in consideration of the full payment of such paving assessment against such property by Augusta Wright and T. W. Wright, the apparent owners.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by two deeds recorded in Volume 450 at page 54 and Volume 535 at page 551, respectively, of the Deed Records of Travis County, Texas, John C. Wende conveyed to the City of Austin a tract of land consisting of 0.431 of one acre of land out of the Isaac Decker League in the City of Austin, Travis County, Texas; and,

WHEREAS, it was intended that the land so conveyed be used by the City of Austin for the construction of a drainageway and street; and

WHEREAS, no need has arisen for the construction of such drainageway or the opening of such street, and it is now apparent that no need therefor will ever arise; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is, hereby authorized and directed to

execute a deed re-conveying such property to John C. Wende in consideration of the said John C. Wende paying to the City of Austin an amount equal to the taxes which would have been assessed against said property since conveyance to the City, had the same been subject to taxation during such period.

The motion, seconded by Councilman Johnson, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on November 16, 1951, bids were received by the City of Austin for the construction of a reinforced concrete bridge on East 38th Street over Waller Creek; such bids being as follows:

Maufrais Bros.	\$ 13,890.83
J. C. Gilstrap	14,079.56
Norman L. Larson	14,580.00
Harry Newton, Inc.	14,596.18
W. S. Conner	14,827.87
Ross Anglin	15,461.78
Southern Contracting Co.	16,303.75
Boyd L. McGee	16,970.26

and

WHEREAS, the bid of Maufrais Bros. in the sum of \$13,890.83 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the bid of Maufrais Bros. be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Maufrais Bros. for the construction of a reinforced concrete bridge on East 38th Street over Waller Creek on the basis of their bid of \$13,890.83.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Belmont", approved by

the City Plan Commission of the City of Austin on November 8, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(a) OF ARTICLE III RELATING TO TRAFFIC CONTROL DEVICES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor then announced that the ordinance had been finally passed.

Councilman Long moved that the following applications for change of zoning be set for public hearing, 11:00 A.M., December 13, 1951:

C. H. JUNG, JR., By
Odas Jung

Three tracts of land fronting 162.78' on Lake Austin Blvd. and 190.11' on Hearn St., locally known as 2500-02-04 Lake Austin Blvd., and 500-06 Hearn Street.

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Zoning Board of Ad-
justment on 9-17-51
and 11-12-51.

S. SILBERSTEIN, By
Tonnott Byrd, Atty.

Lots 5,6,7 & 8, Outlot 43, Div. "B", Forster and Ludlow Subdi-
vision, known as 1613-1713 East
Avenue.

From "C" Commercial
To "C-2" Commercial
NOT Recommended by
the Zoning Board
on 11-19-51.

V. G. OKIE and MAR-
GARET OKIE

908-914 South Lamar Blvd.
E. 125' of the Nannie E. Dawson
Home Tract, located at the
nw corner of South Lamar Blvd.
and Treadwell Street and front-
ing on Treadwell; and additional
territory recommended by the
Zoning Board: Lots 1 - 8, Okie
Heights; W. 1/2, Blk. 17, South
Heights Addition; W. 150' of the
property on the east side of So.
Lamar Blvd., extending from the
south line of the John C. Wende
2.93 acre tract of land south to
the north line of South Heights
Addition.

From "A" Residence
To "C" Commercial
RECOMMENDED, plus
additional territory,
by the Zoning Board
on 9-17-51 and 11-12-
51.

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. HERMAN JONES, representing V. A. CUNEO in his request for change of zon-
ing of his property at 3204 Red River, from "A" to "C", asked that this applica-
tion be amended to request a change from "A" to "B". Councilman MacCorkle moved
that this application be re-referred to the Zoning Board of Adjustment for a recom-
mendation on changing the property from "A" Residence to "B" residence. The mo-
tion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Pursuant to published notice thereof, public hearings were held on the
following applications for change of zoning:

L. L. McCANDLESS

1215 South Congress

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the Zoning Board of Adjustment.

MR. WM. K. MILLER represented Mr. McCandless. No one appeared in opposition. Mr. Miller stated that Mr. McCandless was under the impression this tract of land was already in the "C-1" area, as it adjoins C-1 already, and this request is now for a minor extension of that zone. Mr. McCandless could have placed his building just a little further over on the existing C-1 territory, had he known definitely he was not in C-1 territory. The Mayor stated the Zoning Board of Adjustment had recommended this change, and asked that those in favor of upholding the Zoning Board to vote "Aye"; those opposed to vote "No". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted, and the City Attorney was instructed to draw up the necessary ordinance.

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B. D. WATKINS

5312 Airport Blvd.

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Zoning Board of Adjustment on Oct. 25, 1951.

A question was raised whether or not this was in a dry precinct. The City Attorney stated it was in a territory voted dry in a local option election, but this would not destroy the right to zone it, but it would make the Council's zoning ineffective, as the sale of beer could not be permitted. C. E. MOYER, 5100 Clarkson, W. E. BROWN, 4915 Airport Blvd and 5407 Bennet Avenue, and Wm. S. Guttman, expressed opposition. No action was taken on this application by the Council.

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JESSE B. CHRISTNER

4204 Alice Avenue

From "A" Residence
To "C" Commercial.

Mr. Christner appeared in behalf of the application, stating he wanted to build a dry goods store and ladies' ready to wear and alteration shop, and he had plenty of property for off-street parking. Mrs. F. D. Boling, 1203 W. 44th, Miss Lowden, Mrs. Paul Jürgens, 4402 Bellvue, and Mr. P. E. Newman, all spoke in favor of this change. The Zoning Board of Adjustment did not recommend this change. The members of the Council wanted to inspect the property personally, and therefore took no action at this meeting, stating it would be considered at the following meeting.

A discussion was held on tax valuations. MR. RICKEY KEY stated there were some inequities existing in the valuations, as would be expected; and as they were brought to the attention of the Board, corrections were being made. MR. ROSWELL MILLER pointed out the assessment on his patio at \$2.25, and the Board made no change in it. Mr. Key stated it was classed as an open porch, under a roof and not as a patio. The City Attorney explained the law with reference to taxing property on an ad valorem basis. MR. MILLER suggested two or three people to sit in as a fact finding board. Mr. KEY stated Mr. Miller protested the valuation of two houses, and the Board instructed the Tax Department to correct those two valuations; and if they could find others of similar nature to try to do the best they could with what they had to work with. He stated the inspectors were doing an excellent job, but were working under a handicap. He also suggested an overall program of taking a portion of the city each year and making a study of that section. MR. THEO BELLMONT suggested extra appraisers and a review of different sections of the city every five years. He stated the office was undermanned. MR. HOWARD BULL explained how different ideas of various appraisers of the Ehrenborg Company affected some values. He said the Tax Department had only three appraisers for improvements, and they have been putting from 10 to 15 million dollars a year on the books on new construction, and those appraisers could not catch the discrepancies. It was brought out the two appraisers authorized in the budget last year were for personal property, but as yet, these positions had not been filled, as there were not many applications to choose from. MR. BULL suggested a five year appraisal plan to be done by the Tax Department appraisers, who have been taught along the same lines of value. There was a discussion of a Manual of appraisal standards. MR. BEN KING complimented the Administration, with respect to his own experience in Austin, and stated the FHA men in San Antonio stated Austin was the best mortgage city in Texas; the Veterans' Administration was amazed at the way Austin had protected the things that made up its value, and they knew of no other situation that is quite like it is in Austin. Mr. King brought out that this City was in better shape than any other. He stated there were some inequities, but there always would be some. He suggested the Tax Department did not have sufficient personnel to check all the properties, nor a proper manual. He made inquiry of why the Tax Department was under another Department. After further discussion, the Tax Assessor stated he had asked for two additional real estate appraisers in this next budget; but for a reappraisal of the city, he would have to have a separate group, if the review is to be undertaken. The Mayor stated the Council would look into the suggestions.

The Council decided to hold its regular meeting on Wednesday, November 28, 1951, instead of Thursday, November 29th.

The Council recessed until 10:00 A.M., Friday, November 23, 1951.

APPROVED: W. S. Drane, Jr.

Mayor

ATTEST:

E. L. Rossley
City Clerk